Columbia University Electronic Course Content Copyright Guidelines

- United States copyright law governs both the reproduction and distribution of copyrighted material. The making of either a print or electronic copy, and the distribution of the copy by any means, constitute a reproduction and distribution that is governed by copyright law. It is expected that all members of the Columbia University community respect copyright law in both reproducing and distributing in copyright material in the course of teaching, learning and scholarship.

- The copyright principles that apply to print materials in the course of teaching, learning and scholarship also apply to electronic materials. Permission may be required for the use of copyrighted materials even where they have already been posted elsewhere online.

- Instructional materials related to course curricula may be copied and posted to the University's course management system in any of the following circumstances:

    - Permission has been granted by the copyright owner
    - The material is in the public domain
    - The material is made available as a link to licensed electronic resources
    - The posting of the copy constitutes a fair use or falls under another exception under U.S. copyright law

- Fair use constitutes a longstanding legal doctrine that recognizes the importance of accessing, reproducing, distributing and building upon copyrighted materials in the course of teaching, research, learning , or engaging in other kinds of scholarship. Fair use provides a framework of analysis to determine whether a reproduction or distribution can be made of copyrighted materials without the prior permission of the copyright owner. The fair use analysis includes four factors that should be considered before determining whether a particular use is a "fair use", thereby allowing the uploading of copyrighted materials to Columbia University's course management system without the prior permission of the copyright owner. The four factors are:

    - The purpose and character of the use
    - The nature of the copyrighted work
    - The amount and substantiality of the portion of the work being used in relation to the entire work
    - The effect of the use on the potential market for, or value of, the work

- If after considering the four factors, it does not appear likely that the use contemplated for the materials would be considered a fair use, then permission will be required before uploading a copy of the copyrighted materials to Columbia University's course management system.

- Keep in mind that not all four factors need to weigh in either for or against fair use, but overall, the factors are likely to lean in one direction or the other. Also, the relative importance of the factors is not always the same. See the link below for more information on copyright law in general and fair use in particular.

- Whenever fair use is relied upon as a basis for including copyrighted materials in Columbia's electronic course management system, Instructors, uploading electronic materials, should use the UNI Password authentication system to protect materials linked to or posted in the course management system, so that only students or other individuals requiring access for the purposes of conducting the course gain access to the materials. At the end of the semester, after the course has been completed, the students should no longer have access to these materials and the materials should be removed from the course management system.

- It is preferable to link to materials already legally available rather than scanning or making a copy of them.

- All copyrighted materials copied and uploaded to Columbia University's course management system should correspond to course curricula as required, assigned, or recommended materials for the course being taught.

- Instructors should not direct or encourage students to access or print unauthorized copies of materials.

- All materials linked or uploaded to Columbia University's course management system, regardless of medium or format, should include proper citation, attribution and copyright notices, as the case may be.

- For more information concerning copyright law, fair use or these Guidelines, see http://copyright.columbia.edu.

- For questions about the Guidelines email copyright@columbia.edu